

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

M. RAE, INC., d/b/a FENICCI'S OF : **CIVIL ACTION NO. 1:20-CV-2366**
HERSHEY, PORTABELLA'S INC., :
d/b/a RIVER HOUSE BAR & GRILL, : **(Judge Conner)**
and HERSHEY INDEPENDENT :
RESTAURANT ASSOCIATION, :

Plaintiffs

v.

THOMAS W. WOLF, in his :
official capacity as Governor of the :
Commonwealth of Pennsylvania, :
and RACHEL LEVINE, MD, in her :
official capacity as Secretary of the :
Pennsylvania Department of Health, :

Defendants

ORDER

AND NOW, this 23rd day of December, 2020, upon consideration of plaintiffs' emergency motion (Doc. 3) for a temporary restraining order and preliminary injunction, as well as the parties' briefs in support of and opposition thereto, (see Docs. 4, 12, 14), the arguments offered during a telephonic hearing convened on December 21, 2020, and the declarations submitted by the parties, (see Docs. 13, 15, 16), and for the reasons set forth in the accompanying memorandum of today's date, it is hereby ORDERED that plaintiffs' motion (Doc. 3) is DENIED.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner
United States District Judge
Middle District of Pennsylvania